



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

August 8, 1995

Mary Schmit, Co-Director
Jacqueline A. Schweitz, Co-Director
Minnesota Citizens Concerned for Life, Inc.
4249 Nicollet Ave. South
Minneapolis, MN 55409

RE: MUR 3774
Minnesota Citizens
Concerned for Life, Inc.

Dear Ms. Schmit and Ms. Schweitz:

On August 1, 1995, the Federal Election Commission found that there is reason to believe Minnesota Citizens Concerned for Life, Inc. violated 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a)(1), provisions of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

You may consult with an attorney and have an attorney assist you in the preparation of your response. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notification or other communications from the Commission.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending

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declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

If you have any questions, please contact Dawn Odrowski or Elizabeth Stein, the attorneys assigned to this matter, at (202) 219-3690.

Sincerely,



Lee Ann Elliott
Vice Chairman

Enclosures
Designation of Counsel Form
Factual and Legal Analysis
Procedures

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Minnesota Citizens Concerned for Life MUR: 3774
 Committee for a Pro-Life Congress and
 Jacqueline A. Schweitz, as treasurer
 Minnesota Citizens Concerned for Life, Inc.

This matter was generated by a complaint and amendment, filed by the Democratic Senatorial Campaign Committee ("DSCC") on May 1993 and February 22, 1995, respectively.

As noted in DSCC's amended complaint, disclosure reports filed by Minnesota Citizens Concerned for Life Committee for a Pro-Life Congress and Jacqueline A. Schweitz, as treasurer ("MCCL PAC") reflect apparent violations of 2 U.S.C. § 441b(a) and 11 C.F.R. § 102.5(a). Specifically, Schedule E of MCCL PAC's 1994 October and Post-General reports reflect numerous disbursements and reimbursements to the MCCL General Fund for costs incurred in connection with independent expenditures for several federal candidates, including Rod Grams. See Attachment.¹ The MCCL General Fund appears to be an account of MCCL, Inc., the connected organization of MCCL PAC. Commission regulations require that all expenditures for federal elections be made from a federal account. 11 C.F.R. § 102.5(a)(1). Moreover, the apparent initial disbursement of corporate treasury funds for costs incurred in connection with independent

1. The total of these eight disbursements and reimbursements to the General Fund is \$15,476.

expenditures constitutes a prohibited contribution in violation of 2 U.S.C. § 441b. See also Advisory Opinion 1984-24.

Therefore, there is reason to believe that MCCL, Inc. and MCCL PAC and Jacqueline Schweitz, as treasurer, violated 11 C.F.R. § 102.5(a)(1) and 2 U.S.C. § 441b(a).

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